



**U.S. Department of  
Transportation**  
Office of the Secretary  
of Transportation

## NOTICE OF ACTION TAKEN

**DOCKET OST-98-4524**

This serves as interim notice to the public of the action described below, taken orally by the Department official indicated; the confirming order or other decision document will be issued as soon as possible.

Applicant: **Heavylift-VolgaDnepr Ltd.**

Date Filed: October 1, 1998

Relief requested: Exemption pursuant to 49 U.S.C. section 40109(g) to permit it to operate, using its AN-124 aircraft, (1) one one-way cargo charter flight between Houston, TX, and San Juan, PR, on or about October 2, 1998, to transport two 45,000-pound units of roofing material (30.5x4.17x7.5 feet each) on behalf of Starkist Foods to repair damages to its facility caused by Hurricane Georges; and (2) one one-way charter from Greensboro, NC, to Aguadilla, PR, on October 3-4, 1998, on behalf of Sara Lee Corp. to transport 98,000 pounds of humanitarian relief goods to aid in hurricane recovery activities.

Applicant representative: Lester Bridgeman (334) 432-1414

Responsive pleadings: Heavylift-VolgaDnepr served its request to conduct its proposed oversized Houston flight on those U.S. carriers operating large all-cargo aircraft. It served its request to transport relief goods from Greensboro to Aguadilla on all U.S.-certificated carriers. Each carrier indicated that it did not have aircraft available to conduct the operations, and that it had no comment or did not oppose grant of the authority.

### DISPOSITION

Action: Approved

Action date: October 1 and 2, 1998

Effective dates of authority granted: October 1 - 4, 1998

Basis for approval: We found that the application met all the relevant criteria of 49 U.S.C. section 40109(g) for the grant of an exemption of this type, and that the grant was required in the public interest. Moreover, based on the representations of the U.S. carriers, we concluded that no U.S. carrier had aircraft available which could be used to conduct the operations at issue here. We also found that grant of Heavylift-VolgaDnepr's request would prevent undue hardship to the citizens of Puerto Rico, would avoid imposing unreasonable hardship on emergency relief efforts, and would prevent undue hardship to Starkist Foods by facilitating the rapid restoration of its facility.

Except to the extent exempted/waived, this authority is subject to standard exemption conditions and to the condition that Heavylift-VolgaDnepr comply with an FAA-approved flight routing for the authorized flight.

**Action taken by:** **Charles A. Hunnicutt**  
**Assistant Secretary for Aviation**  
**and International Affairs**